

E. A. Larsen, E. L. Gilcreest, P. K. Brown, S. M. Sproat, W. L. Samuels, R. P. Roantree.

Banquet at Lamoille.

The following members were in attendance at various times during the meeting:

William M. Edwards, Henry Albert, Anna B. De Chene, R. A. Bowdle, D. A. Smith, W. L. Samuels, John E. Worden, W. A. Shaw, A. R. Kilgore, W. H. Hood, C. E. Secor, A. J. Hood (Elko), A. C. Olmsted, C. W. Eastman, C. E. Piersall, H. J. Brown, J. T. Reese, H. W. Sawyer, R. P. Roantree, D. A. Turner, H. A. Paradis.

The following visitors were also present at various times during the meeting:

T. W. Huntington, M. B. Wesson, J. P. Kerby, J. P. Warren, E. L. Creveling, Peter Frandsen, Edmund White, A. C. Gibson, Eugene Benjamin, E. Eric Larson, H. A. Collings, A. Soiland, Mary E. Stilwell, W. W. Washburn, E. L. Gilcreest, G. J. Hull, A. B. Spalding, R. H. Travers, H. Zimmerman, S. M. Sproat, P. K. Brown.

CORRESPONDENCE

C. O. Sappington, M. D., Oakland, Calif., commenting on the article by Doctor Shuman, "Questionable Diagnostic Methods," published in the August issue of CALIFORNIA AND WESTERN MEDICINE, page 1027, says:

All progressive clinicians will, no doubt, agree with Dr. Shuman that it is not to the best interest of any sick patient to be examined by too many physicians. Refined diagnoses, so called, are frequently made at the expense of comfort and safety.

The standardization of diagnostic procedures is a necessity, which might be handled through standardization committees as have other procedures.

One is inclined to agree with Dr. Fulton's idea that perhaps the greater of two evils in regard to laboratory methods is neglect, rather than abuse. Medicine is certainly more scientific today than ever before. As President Ewer has so well remarked, "Cold science, effective but not always convincing, has come into nursing and medicine as sentiment has been squeezed out." As a clinical guide-post for future use, perhaps Sir James MacKenzie's observation is noteworthy: "The next advances in clinical medicine must be the recognition of the diseased state before it has produced gross structural changes and the recognition of the conditions that pre-disposed or induced the disease." This surely calls for diagnostic thought.

Dr. Bine commented most interestingly on the "old fogey" physician—as he was called by some of his more modern younger associates—and the experiences during an epidemic in which the older man was more valuable than the younger ones. As a representative of the younger group of medical men, let me say that I heartily wish that there was more genuine respect between the younger and older men. Respect, of course, is a mutual feeling. Many younger men feel that, through newer methods, they know more; many older men feel that, through more experience, they are superior. Both err, for both new ideas, methods, and long experience are essential. In perhaps no other walk of life than the practice of medicine do years of experience play so vital a part. Yet young fellows often set themselves up as specialists when barely out of school, and one hears tales of incomes which overreach five figures within the first year of specialty practice, while most of our good practitioners today know that years of labor and thought are necessary to build up such an income.

Perhaps a bit more of regard for the experience of the older man, on the part of the young fellows, and a little more commendation and encouragement of the young practitioner by those in seniority would improve relations. And, again, perhaps all of us, old and young, should more keenly realize that "life is short, the art long, judgment difficult, delay dangerous, experience fallacious."

Manila, P. I., August 5, 1925.

My dear Dr. Musgrave—Your kind appreciation of the actual status and development of the Department of Legal Medicine in the Philippines, as outlined in your editorial in the August issue of California and Western Medicine, gives me the strongest encouragement to maintain my devotion to the subject, and to work harder for a greater extension of its application to the legal and social needs of this country.

In this connection permit me to inform you that, thanks to the inclusion of the subject of Legal Medicine among the required subjects in the courses of law and medicine, and the relatively more intensive and practical teaching of the same during the last decade, *we are actually noting here a remarkable change of orientation taking place in the procedure of the courts of justice in relation to medico-legal questions and problems.* The prosecuting attorneys, at least in the city of Manila, deal with these questions by making previous careful preparation with the aid of medical experts, thus compelling the side of the defense to adopt equal or better means and thereby affording the judges to have a better basis to understand and decide on scientific matters.—Sixto De Los Angeles, Professor and Head Department of Legal Medicine.

Medicine Before the Bench

Findings and Comments of the Courts on Acts and Omissions of Doctors

(EDITOR'S NOTE—*The law reports contain many interesting decisions, involving the reputations and fortunes of doctors. In this column in each issue a brief summary of one or more decisions and comments of the several courts of last resort upon the cases will appear. The matter will be selected by our general counsel, Hartley F. Peart, who, with Hubert T. Morrow, attorney for Southern California, will contribute from time to time.*)

A case was recently tried before a jury in the Superior Court of this state, involving the following situation:

A practicing dentist had made certain false teeth for a patient and had delivered them to her upon the claimed understanding that she would pay for them within a certain time. Before the teeth were paid for, the patient called on the dentist for additional examination and work, and, as claimed by plaintiff, while she was permitting her mouth to be examined, the dentist forcibly removed the teeth and stated to the patient that when she had paid for the teeth she could have them back, but that he would not return them unless and until he had been paid.

The patient sued for damages, claiming that title to the teeth had passed to her upon the credit of her contract to pay, and that the defendant dentist committed an assault upon her person in forcibly taking the teeth, and that his remedy was purely contractual for the price of the teeth. A jury was demanded by plaintiff and there was evidence that plaintiff suffered from shock as the result of the withdrawal of her teeth, a physician testifying that he gave plaintiff an opiate to quiet her nerves. After argument, the jury awarded plaintiff \$500 damages, an amount very much in excess of the value of the teeth.

On motion for a new trial, the trial judge permitted the verdict in favor of plaintiff to stand, but reduced the amount to \$250, on the ground that the damages awarded were excessive.

"Anybody hurt in the wreck?"

"One gentleman, I believe."

"Bones broken?"

"I think it was his heart. He sat down by a leaking suitcase and shed tears."

"There goes a man who thinks in terms of millions."

"He doesn't look to me like a great financier."

"He isn't; he's a germ expert."